

Sunset Public Hearing Questions for
Tennessee Aeronautics Commission
Created by Section 42-2-301, *Tennessee Code Annotated*
(Sunset Termination June 2021)

Enabling Statute, Purpose, and Rules and Regulations

- 1. Please provide a brief introduction to the commission, including information about its purpose, statutory duties, staff, and administrative attachment to the Department of Transportation.**

The Tennessee Aeronautics Commission (TAC) is made up of five members appointed by the Governor for a five-year term on a staggered basis. The board was created by T.C.A. § 42-2-301 and is assigned the duties of advising the Commissioner of The Department of Transportation (TDOT) in the formulation of relevant policy planning and approving or disapproving proposed changes in the state airport system plan.

The TAC does not have any assigned staff. TAC is provided administrative and technical support from the Aeronautics Division of the Department of Transportation. The Commissioner of Transportation provides direction to TAC members in Departmental Policy 170-02.

- 2. Has the commission promulgated rules and regulations? If yes, please cite the reference(s).**

The TAC does not have rules and regulations.

Commission Organization

- 3. Please provide a list of current members of the commission. For each member, please indicate who appointed the member, statutory member representation, the beginning and end of the member's term, and whether the member is serving a consecutive term.**

Member Name	Appointed By	Statutory Representation	Term Beginning	Term End	Consecutive Term (Yes/No)
Nisha Powers	Bill Haslam	West Tennessee	7/1/2016	6-30-21	Yes
George Huddleston	Bill Haslam	Middle Tennessee and General Aviation	7/1/2017	6-30-22	No
Malcolm West	Bill Haslam	Middle Tennessee	7/1/2018	6-30-23	Yes
Dan Mahoney	Bill Lee	East Tennessee	7/1/2019	6-30-24	No
Kirk Huddleston	Bill Haslam	East Tennessee and Air Carrier Airports	7/1/2015	6-30-20	No

- 4. Are there any vacancies on the commission? If so, please indicate how long the position has been vacant and explain steps that have been taken to fill any vacancies.**

No vacancies. Kirk Huddleston's appointment expired on June 30, 2020; however, T.C.A. § 42-2-301(4) provides that each member shall serve until the appointment of the member's successor. TDOT has contacted the Governor's Office to request renewal of Mr. Huddleston's appointment or a new member to be appointed. The Governor's Office indicated on 7-30-20 that Kirk Huddleston has been re-appointed for another term.

- 5. How many times did the commission meet in the last two fiscal years? How many members were present at each meeting? Please note meetings where the commission did not have a quorum.**

The Commission met five (5) times in FY 2019 and six (6) times in FY 2020.

Meeting Date	Number of Members Present	Quorum Reached Yes or No
September 20, 2018	5	Yes
November 15, 2018	3	Yes
March 5, 2019	4	Yes
May 6, 2019	5	Yes
June 28, 2019	4	Yes
August 27, 2019	5	Yes
October 24, 2019	5	Yes
February 18, 2020	4	Yes
March 25, 2020	5	Yes
April 23, 2020	5	Yes
June 17, 2020	5	Yes

Financial Information

- 6. What were the commission's revenues and expenditures for Fiscal Years 2018 and 2019? Does the commission have a reserve balance? If yes, please provide additional relevant information regarding the reserve balance.**

The TAC does not have revenues, expenditures, or a reserve balance.

- 7. What per diem or travel reimbursements do commission members receive? How much was paid to commission members in Fiscal Years 2018 and 2019?**

TAC members may drive their personal vehicles to meetings and receive reimbursement as per the State of Tennessee Comprehensive Travel Regulations. Reimbursement of lodging and meals is in accordance with the State of Tennessee Comprehensive Travel Regulations. Members may bill for the one night's lodging prior to or following each TAC meeting.

Commissioner	Expense Total
Huddleston Jr, George	\$ 406.36
Huddleston, Kirk A	\$ 4,599.49
Mullins, Larry D	\$ 3,292.20
Powers, Nisha	\$ 4,460.22
Grand Total	\$ 12,758.27

- 8. Does the commission collect fees? If so, indicate whether these fees were established through rule or through state law.**

The TAC does not collect fees.

Sunshine Law, Public Meetings, and Conflict of Interest Policies

- 9. Is the commission subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the commission have for informing the public of meetings and making minutes available to the public?**

No. The TAC is an advisory board for the Commissioner of TDOT.

- 10. Does the commission allow for public comment at meetings? Is prior notice required for public comment to be heard? If public comment is not allowed, how does the commission obtain feedback from the public and those they regulate?**

TAC is not required to conduct public meetings. They are not a regulatory board/commission. The TAC is an advisory commission for the Commissioner of TDOT. However, the commission requires that project requests be made by the responsible elected official or representative of the airport during the Tennessee Aeronautics Commission meeting.

- 11. How does the commission ensure that its members and staff are operating in an impartial manner and that there are no conflicts of interest? If the commission operates under a formal conflict of interest policy, please attach a copy of or provide a link to that policy.**

The commission operates under TDOT Policy 101-01 – Ethics, Conflicts of Interest, and Acceptance of Gifts. Commissioners recuse themselves when a proposed project may create a conflict of interest.

Accomplishments, Reports, and Proposed Legislative Changes

12. What were the commission's major accomplishments during the last two fiscal years?

During Fiscal Years 19 and 20, TAC recommended 111 airport improvement projects totaling \$89.4 million in Federal and State funding to the Commissioner of Transportation for approval.

13. How many public airports are there in Tennessee? How many are considered municipal airports? How many are considered state airports?

There are 79 public use airports in Tennessee, 74 of those are municipal airports as defined in T.C.A 42-2-101 (17). The State of Tennessee owns one (1) airport.

14. Please provide a breakdown, by airport and dollar amount, of state and federal financial assistance to the Tennessee public airports. What criteria are used in allocating state and federal funds? How does the Department of Transportation ensure funds are used as intended?

FY 19 -20 Airport Funding

Airport Name	City	County	Total Federal	Total State
McMinn County Airport	Athens	McMinn	\$120,150	\$117,350
William L.Whitehurst Field	Bolivar	Hardeman	\$0	\$0
Benton County Airport	Camden	Benton	\$100,800	\$5,600
Centerville Municipal Airport	Centerville	Hickman	\$685,800	\$38,100
Chattanooga Metropolitan Airport (Lovell Field)	Chattanooga	Hamilton	\$0	\$3,606,752
Dallas Bay Sky Park	Chattanooga	Hamilton	\$0	\$0
Outlaw Field	Clarksville	Montgomery	\$100,170	\$5,566
Cleveland Regional Jetport	Cleveland	Bradley	\$0	\$0
Clifton Airport (Hassell Field)	Clifton	Wayne	\$0	\$0
Collegedale Municipal Airport	Collegedale	Hamilton	\$0	\$287,565
Maury County Regional Airport	Columbia	Maury	\$244,000	\$128,250
Martin Campbell Field	Copperhill	Polk	\$0	\$0
Covington Municipal Airport	Covington	Tipton	\$0	\$0
Crossville Memorial Airport (Whitson Field)	Crossville	Cumberland	\$181,364	\$10,796
Beech River Regional	Darden	Henderson	\$144,000	\$8,000
Mark Anton Airport	Dayton	Rhea	\$0	\$0
Dickson Municipal Airport	Dickson	Dickson	\$0	\$0
Dyersburg Municipal Airport	Dyersburg	Dyer	\$782,540	\$43,475
Elizabethton Municipal Airport	Elizabethton	Carter	\$338,391	\$36,751
Fayetteville Municipal Airport	Fayetteville	Lincoln	\$1,750,500	\$97,250
Jackson County Airport	Gainesboro	Jackson	\$0	\$0
Sumner County Regional Airport	Gallatin	Sumner	\$165,410	\$814,318
Greeneville-Greene County Municipal Airport	Greeneville	Greene	\$7,295,649	\$405,314
Arnold Field	Halls	Lauderdale	\$0	\$0
John A. Baker Field	Hohenwald	Lewis	\$0	\$0
Humboldt Municipal Airport	Humboldt	Gibson	\$0	\$0
Carroll County Airport	Huntingdon	Carroll	\$123,683	\$6,871
Colonel Tommy C Stiner Airfield	Jacksboro	Campbell	\$180,000	\$10,000
McKellar-Sipes Regional Airport	Jackson	Madison	\$513,696	\$202,569

Jamestown Municipal Airport	Jamestown	Fentress	\$6,565,270	\$210,162
Marion County - Brown Field	Jasper	Marion	\$452,131	\$25,118
McGhee Tyson Airport	Knoxville	Knox (Blount)	\$0	\$1,431,788
Downtown Island Airport	Knoxville	Knox	\$782,693	\$727,996
Lafayette Municipal Airport	Lafayette	Macon	\$0	\$0
Lawrenceburg-Lawrence County Airport	Lawrenceburg	Lawrence	\$240,863	\$671,137
Lebanon Municipal Airport	Lebanon	Wilson	\$262,256	\$1,170,460
Ellington Airport	Lewisburg	Marshall	\$900,000	\$50,000
Perry County Airport	Linden	Perry	\$135,000	\$7,500
Livingston Municipal Airport	Livingston	Overton	\$0	\$0
Monroe County Airport	Madisonville	Monroe	\$327,039	\$1,591,961
Houston County Airport	McKinnon	Houston	\$0	\$0
Warren County Memorial Airport	McMinnville	Warren	\$0	\$0
Memphis International Airport	Memphis	Shelby	\$0	\$22,744,368
Charles W. Baker Field	Memphis	Shelby	\$781,285	\$57,492
General Dewitt Spain Airport	Memphis	Shelby	\$170,000	\$1,630,250
Millington Regional Jetport	Millington	Shelby	\$2,342,862	\$130,159
Moore-Murrell Field	Morristown	Hamblen	\$116,500	\$56,400
Johnson County Airport	Mountain City	Johnson	\$0	\$0
Murfreesboro Municipal Airport	Murfreesboro	Rutherford	\$114,750	\$6,375
Nashville International Airport	Nashville	Davidson	\$0	\$780,805
June C. Tune Airport	Nashville	Davidson	\$42,343	\$762,171
New Tazewell Municipal	New Tazewell	Claiborne	\$512,791	\$28,488
Scott Municipal Airport	Oneida	Scott	\$158,400	\$0
Henry County Airport	Paris	Henry	\$0	\$0
Portland Municipal Airport	Portland	Sumner	\$494,733	\$762,210
Abernathy Field	Pulaski	Giles	\$382,500	\$21,250
Rockwood Municipal Airport	Rockwood	Roane	\$0	\$0
Hawkins County Airport	Rogersville	Hawkins	\$0	\$0
Savannah-Hardin County Airport	Savannah	Hardin	\$9,357,300	\$1,623,616
Robert Sibley Airport	Selmer	McNairy	\$0	\$0
Gatlinburg-Pigeon Forge Airport	Sevierville	Sevier	\$534,491	\$113,555
University of the South-Franklin County Airport	Sewanee	Franklin	\$265,457	\$38,543
Shelbyville Municipal Airport (Bomar Field)	Shelbyville	Bedford	\$5,670,000	\$315,000
Smithville Municipal Airport	Smithville	Dekalb	\$931,823	\$164,817
Smyrna Airport	Smyrna	Rutherford	\$34,602	\$340,553
Fayette County Airport	Somerville	Fayette	\$0	\$0
Upper Cumberland Regional Airport	Sparta	White	\$333,400	\$0
Springfield-Robertson County Airport	Springfield	Robertson	\$0	\$0
Reelfoot	Tiptonville	Lake	\$0	\$0
Gibson County Airport	Trenton	Gibson	\$0	\$0
Tri-Cities Regional Airport	Tri-Cities	Sullivan	\$0	\$511,702
Tullahoma Regional Airport	Tullahoma	Coffee	\$355,000	\$0
Everett-Stewart Airport	Union City	Obion	\$0	\$0
Humphreys County Airport	Waverly	Humphreys	\$133,200	\$7,400
Winchester Municipal airport	Winchester	Franklin	\$2,404,742	\$133,596

* Airports with \$0 may have received funding that did not get reviewed by TAC. Projects <\$100,000 do not require TAC review.

State funds are allocated equally between Commercial Service airports and General Aviation airports. Distribution among air carrier airports is determined by an agreed upon formula using enplanement (90%) and cargo (10%) data from the FAA. Distribution among general aviation airports is determined through the Airport Capital Improvement Plan programming process.

Federal funds are approved following FAA Airport Improvement Plan (AIP) Handbook (FAA Order 5100.38D).

TDOT ensures funds are used as intended by issuing grant contracts defining project scope, terms and conditions following State grant contracting guidelines. Contracts are audited by TDOT Finance Division external audit section. Additionally, TDOT Aeronautics staff and TDOT Finance review each project invoice for eligibility and compliance before making reimbursement.

15. How many proposed changes in the state airport system did the commission review during the last two fiscal years? What are some of the typical types of proposed changes? What is the average size/cost of a proposed change to the state airport system? How many proposed changes did the commission approve during the last two fiscal years? What was the estimated dollar value of those approved changes? How did the Department of Transportation and the commission ensure the public had sufficient opportunities for input?

Per Tenn. Code Ann. § 42-2-301 f (1) & (2), TAC serves in an advisory capacity to the Commissioner and shall have the duty and responsibility to:

- (1) Assist in the formulation of relevant policy planning; and
- (2) Approve or disapprove all proposed changes in the state airport system plan, existing under the authority of § 42-2-204; provided, that approval or disapproval shall not affect any changes to the airport plan that may be required by the master transportation plan or any changes required to coordinate facilities with any other bureau within the department.

TDOT is currently involved in an update to the Tennessee Aviation System Plan (TASP). The last System Plan was completed in November 2001. To represent the public's interest members of the TAC are participating on the TASP Advisory Committee with representatives from seven airports, two regional/metro planning organizations, and representatives from other modes of transportation.

The Tennessee Aeronautics Commission will annually review program eligibility requirements, participation rates, and program funding levels. Upon review, the Tennessee Aeronautics Commission will recommend revisions to these items TDOT Commissioner for final approval. TAC did not recommend any changes in FY 2019 or FY 2020.

Funding requests meeting defined criteria for Airport Improvement Projects are reviewed by the Tennessee Aeronautics Commission. The TAC will recommend Federal and/or State funding approval or denial to the TDOT Commissioner. The TAC reviewed 111 Airport Improvement Projects in FY 19 and FY 20. The average project request was \$855,116. Of the 111 projects, 93 were for General Aviation airports totaling \$60.3

million. The average project request for General Aviation airports was \$688,455. Projects range from minor maintenance issues to major reconstruction of runways and taxiways.

16. Please describe the criteria for obtaining a public airport license. How were these criteria determined? How long does the licensing process take? What are the established time goals for obtaining a license? Is the commission meeting those goals? How many licenses did the commission review in the last two fiscal years? Were any applications denied?

The TAC is not involved in the airport licensing process. This is handled by the TDOT Aeronautics Division. The Aeronautics Division did not receive any new applications for an airport license in the last two fiscal years.

Airport licensing criteria and procedures are described in T.C.A 42-2-211 (b) and Rules of Tennessee Department of Transportation Aeronautics Division, Chapter 1680-1-2, Licensing and Registration of Airports. The licensing process for a new airport would depend on many factors and time could range greatly.

17. Please describe how the commission regulates unmanned aircraft systems (or drones).

Unmanned Aerial Systems (UAS) are regulated by the Federal Aviation Administration (FAA). TAC does not regulate UAS.

18. What reports does the commission prepare concerning its activities, operations, and accomplishments? Who receives copies of these reports? Please provide a link to any such reports issued in the last two fiscal years.

The TAC does not prepare any reports. State and Federal reporting requirements are completed by the TDOT Aeronautics Division and provided to the appropriate regulatory authority.

19. Please describe any items related to the commission that require legislative attention and your proposed legislative changes.

N/A

20. Should the commission be continued? To what extent and in what ways would the absence of the commission affect the public health, safety, or welfare of the citizens of Tennessee?

Yes, TAC should be continued. TAC member are representatives of aviation and the communities they serve. The advisement they provide the Commissioner of TDOT ensures the appropriate investment is made by prioritizing safety, security, maintenance, and preservation of our airport system.

21. Please identify the appropriate agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

Residing TAC Chair or other member (depending on scheduling date and availability)

TDOT Director of Aeronautics – Michelle Frazier

TDOT Legislative Director – Brian Carroll

22. Please provide the office address, telephone number, and email address of the agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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